

United States Senate

WASHINGTON, DC 20510

October 2, 2012

The President of the United States
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

Dear Mr. President:

We share the concerns expressed by you and many Members of Congress regarding the danger of cyber-attacks against the U.S. government and national critical infrastructure. While the Senate has yet to reach an agreement on the best way to enhance cybersecurity, we firmly agree on the need to maintain congressional prerogative when dealing with broad and challenging issues like cybersecurity. The gravity of this threat requires a genuine bipartisan effort to advance legislation, not a selective and unilateral Executive Order, which simply cannot provide the incentives to encourage private sector participation and the requisite information sharing to address evolving threats.

Neither industry nor government alone can broadly improve cybersecurity. The U.S. government requires the situational awareness and innovation of industry, while industry requires the assistance and classified expertise of government. Implicit in these requirements, especially if we are to protect our nation's economic and security interests, is the need for certain statutory authorities and protections that do not exist today and cannot be provided in an executive order.

An issue as far-reaching and complicated as cybersecurity requires all stakeholders to work together to develop an enduring legislative solution through formal consideration and approval by Congress. Yet, rather than build confidence and unity among key stakeholders, an Executive Order will solidify the present divide. Only the legislative process can create the durable and collaborative public-private partnership we need to enhance cybersecurity. We remain committed to this legislative process and urge you to work with Congress rather than act unilaterally through an Executive Order.

Sincerely,

